IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3436 of 2001.
in
FIRST APPEAL NO.124 OF 2002.

Suryabali R. Chavan ..Applicant

versus

Vaishali Co-op. Hsg.Soc. Ltd. ..Respondent.

Mr.M.P.Vashi for the Applicant

for the Respondent

Coram : S.R.Sathe, J.
Dated : 27th Feb., 2006

P.C.

1. Heard Counsel for both the sides.

2. Perused the judgment of trial Court. It is very clear that the trial judge has held that there was no structure in existence at the place as alleged by the present appellant and the appellant has in fact made an encroachment. When such is the position the question of granting stay as prayed or allowing the appellant to erect temporary structure on the said land does not arise. Hence the application is dismissed.

(S.R.Sathe, J.)